

## **Assembly Bill No. 570**

### **CHAPTER 365**

An act to add Section 48432.3 to the Education Code, relating to continuation schools.

[Approved by Governor September 26, 2013. Filed with  
Secretary of State September 26, 2013.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 570, Jones-Sawyer. Continuation schools: policies and procedures: voluntary placement.

Existing law establishes continuation schools to provide opportunities for pupils to complete the required academic courses of instruction to graduate from high school, to provide a program of instruction that emphasizes occupational orientation or a work-study schedule and offers intensive guidance services to meet the special needs of pupils, and to provide a program designed to meet the educational needs of each pupil, as specified. Existing law requires the governing board of each high school or unified school district that assigns pupils to continuation schools to adopt rules and regulations governing procedures for the involuntary transfer of pupils to continuation schools.

This bill would, if the governing board of a school district chooses to voluntarily enroll high school pupils in a continuation school, require the governing board to establish and adopt policies and procedures governing the identification, placement, and intake procedures for these pupils, based on a finding that the voluntary placement of the pupil will promote his or her educational interests. The bill would require the adopted policies and procedures to ensure, among other things, that voluntary placement in continuation school not be used as an alternative to expulsion, except as specified, that no specific group of pupils, as specified, is disproportionately enrolled in continuation schools within the school district, that the policies and procedures be provided to pupils, and to the parents and legal guardians of pupils, whose voluntary transfer to a continuation school is under consideration, and that before a pupil is transferred, the pupil and his or her parent or legal guardian may meet with a counselor, principal, or administrator from both the transferor school and the continuation school to determine if transferring is the best option for the pupil.

*The people of the State of California do enact as follows:*

SECTION 1. Section 48432.3 is added to the Education Code, to read:

48432.3. (a) If the governing board of a school district chooses to voluntarily enroll high school pupils in a continuation school, the governing board of the school district shall establish and adopt policies and procedures governing the identification, placement, and intake procedures for these pupils. These policies and procedures shall ensure that there is a clear criterion for determining which pupils may voluntarily transfer or be recommended for a transfer to a continuation school and that this criterion is not applied arbitrarily, but is consistently applied on a districtwide basis. Approval for the voluntary transfer of a pupil to a continuation school shall be based on a finding that the voluntary placement will promote the educational interests of the pupil.

(b) The policies and procedures adopted under this section shall also ensure all of the following:

(1) That voluntary placement in a continuation school shall not be used as an alternative to expulsion unless alternative means of correction have been attempted pursuant to Section 48900.5.

(2) Shall strive to ensure that no specific group of pupils, including a group based on race, ethnicity, language status, or special needs, is disproportionately enrolled in continuation schools within the school district.

(3) If the governing board of a school district chooses to permit pupils to voluntarily transfer to a continuation school, a copy of the policies and procedures adopted under this section shall be provided to a pupil whose voluntary transfer to a continuation school is under consideration, and to the parent or legal guardian of that pupil.

(4) That the transfer is voluntary and the pupil has a right to return to his or her previous school.

(5) Upon a parent or legal guardian's request and before a pupil is transferred, the parent or legal guardian may meet with a counselor, principal, or administrator from both the transferor school and the continuation school to determine if transferring is the best option for the pupil.

(6) To the extent possible, voluntary transfer to a continuation school occurs within the first four weeks of each semester.